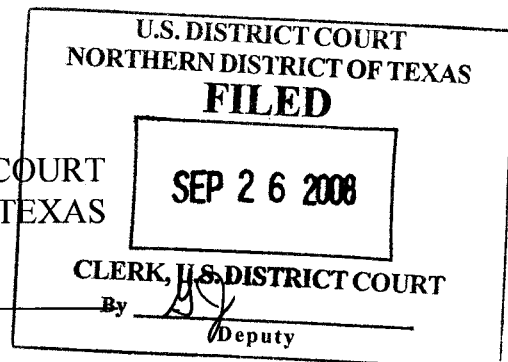


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



UNITED STATES OF AMERICA

v.

JOHN SIMMONS (7)

§
§
§
§
§

MAGISTRATE NO. 3-08-MJ-368

MOTION FOR DETENTION

The United States moves for pretrial detention of defendant, **John Simmons**, pursuant to 18 U.S.C. §3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order because the case involves (check all that apply):

- ☐ Crime of violence (18 U.S.C. §3156);
- ☐ Maximum sentence life imprisonment or death
- ☒ 10 + year drug offense
- ☐ Felony, with two prior convictions in above categories
- ☒ Serious risk defendant will flee
- ☐ Serious risk obstruction of justice
- ☐ Felony involving a minor victim
- ☐ Felony involving a firearm, destructive device, or any other dangerous weapon

_____ Felony involving a failure to register (18 U.S.C. § 2250)

2. Reason for Detention. The Court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):

☒ Defendant's appearance as required

☒ Safety of any other person and the community

3. Rebuttable Presumption. The United States will/will not invoke the rebuttable presumption against defendant because (check one or both):

☒ Probable cause to believe defendant committed 10+ year drug offense
or firearms offense, 18 U.S.C. §924(c)

_____ Probable cause to believe defendant committed a federal crime of
terrorism, 18 U.S.C. §2332b(g)(5)

_____ Probable cause to believe defendant committed an offense involving
a minor, 18 U.S.C. §§1201, 2251

_____ Previous conviction for "eligible" offense committed while on
pretrial bond

4. Time For Detention Hearing. The United States requests the Court conduct the detention hearing,

_____ At first appearance

☒ After continuance of 3 days (not more than 3).

DATED this 26th day of September, 2008.

Respectfully submitted,

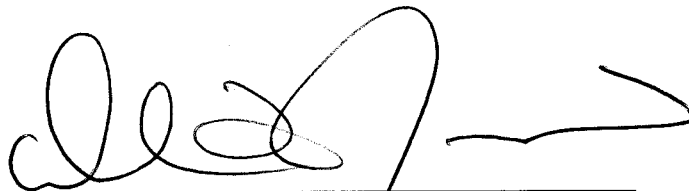
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on counsel for the defendant in accordance with the Federal Rules of Criminal Procedure on this 26th day of September, 2008.



DAVID L. JARVIS
Assistant United States Attorney